

**TOWN OF GROTON**

Board of Health

173 Main Street

Groton, MA 01450

**BOARD OF HEALTH**

Jason Weber, Chairman

Susan Horowitz, Member

Robert J. Fleischer, Member

Date: Monday, March 2, 2020

Time: 7:00 PM

Location: 1st Floor Meeting Room, Groton Electric Light Building, 23 Station Avenue

Members Present: Jason Weber, Chairman; Dr. Susan Horowitz, Member; Robert J. Fleischer, Member; Ira Grossman, Nashoba Associated Board of Health Agent

Others Present: Sammie Kul; Chris MacKenzie of Ducharme & Dillis; Stetson Lacombe and Dennis Lacombe

Jason Weber called the meeting to order at 7:00 p.m.

**67 GAY ROAD – Septic Design System Variance Request**

Chris MacKenzie of Ducharme & Dillis presented on behalf of property owner Stetson Lacombe and requested the following variances for 67 Gay Road:

Local Regulation Variances:

1. Section 315-1(B): deep test holes shall be performed in the months of March and April when performed in Class I soils.

(Soil testing performed in October in Class I soils)

2. Section 315-5(A): Leaching facilities to be located at least 100 feet from any wetland or watercourse.

(94-foot setback of a leach area to wetland is proposed)

Brief discussion ensued regarding details of proposed septic system. Property owner was present and confirmed that they would also be meeting with the Conservation to obtain approval.

Ira Grossman has no major concerns with the proposed plans.

**Robert Fleischer moved to accept the variances as presented subject to the following BOH Standard Conditions below:**

1. The applicant must submit any proposed change in the above referenced plans to the Board of Health for its review and approval before the change is implemented.
2. The applicant is responsible for obtaining any other permits (including but not limited to) those required by the Select Board, Conservation Commission, Building Inspector, DPW Director, Planning Board, Stormwater Advisory Committee, and Zoning Board of Appeals.
3. Any construction (or related activity) within 100 ft of a wetland or resource protection area requires approval of the Groton Conservation Commission.
4. It is the applicant’s responsibility to ensure that the contents of this approval are made known to all contractors who perform work at this site.
5. It is the applicant’s responsibility to contact Dig Safe prior to the commencement of any work at the site.
6. For Failed Systems:

Compliance with Title 5 shall be within 2 years from the date of the sewage disposal system failure unless otherwise ordered to “upgrade” at a sooner date. The applicant must comply with the requirements of Title 5 for a “failed” system pursuant to section 15.305.

1. Any change in use or increased sewage flow is not to be made without prior approval of the Board of Health and any other applicable Board or Commission.
2. The existing 3-bedroom house is to remain a 3-bedroom house with no increase in the number of bedrooms, unless expansion plans are reviewed and approved by the Groton Board of Health.
3. This variance shall not be in effect until the Notice of Board of Health Decision is recorded at the Middlesex South Registry of Deeds. Evidence of such recording shall be submitted to the Board of Health by the applicant.

**Dr. Susan Horowitz seconded and the motion carried.**

**17 BIXBY HILL ROAD – Non-Compliance of a Failed System**

Ira Grossman provided overview. The property owner of 17 Bixby Hill Road was originally notified in October 2017 to correct failed system and this has been an ongoing issue.

Chris MacKenzie of Ducharme & Dillis was present and said septic system design plans were ready for review. Mr. MacKenzie has submitted invoice and Presby paperwork to both the property owner and installer.

Brief discussion ensued regarding options for next course of action. Mr. Grossman recommended that the Board request that the upgrade be completed as soon as possible otherwise the Board may consider condemning the house or pursuing legal action to abate this as a health nuisance.

**Jason Weber moved that the applicant / property owner submit a completed application by April 6th, 2020; that the septic system is in the ground and signed off by the end of May; that the Board of Health agent communicate to the property owner the importance of protecting children from the effluent and recommend that a fence be installed as a barrier from children getting access.**

**Dr. Susan Horowitz seconded and the motion carried.**

Mr. Grossman will mail a follow up letter to the property owner and reach out to the Senior Center to inquire about financial assistance programs available for senior citizens.

**NEW/OLD BUSINESS**

**240 BOSTON ROAD – Review Proposed Building Sketch**

Board members reviewed floor plans provided by property owners of 240 Boston Road. Property owners would like to convert one of their existing bedrooms to an office.

Per the Board’s suggestion Ira Grossman will visit the property to confirm how many bedrooms and rooms there are altogether. This will ensure we have an accurate room count and will determine whether a Deed Restriction would fulfill the Board of Health’s requirement.

**DISCUSSION OF MOSQUITO CONTROL WARRANT ARTICLE SUBMITTED**

The Board members agreed that they would like to keep the Mosquito Control Warrant Article on the schedule for the Spring Town Meeting. They believe it is a good program and expressed that the Town has a right to show up at the Spring Town Meeting to vote on this topic. This Warrant Article is being submitted in response to the concerns from residents regarding not being a member of the Central Mass. Mosquito Control Project Program.

Per the Select Board’s request, Chair Jason Weber will submit a letter in writing providing the reasoning for this decision.

**DISCUSSION OF CORONAVIRUS**

There will be links to the CDC and MA DPH websites provided on the Board of Health homepage with information regarding COVID-19. Any updates from the Board and Town will be provided as necessary.

**DISCUSSION OF EDS DRILL**

Board members discussed different options for who may serve as volunteers during emergency situations.

Chair Jason Weber will reach out to the Emergency Management Director and inquire about whether there is already a list of assigned individuals in place.

**TERRACON UPDATE**

Board members were informed that the Town is currently seeking a new vendor to fulfill the landfill monitoring services and will not be renewing their contract with Terracon.

The Town has submitted a Request for Quote from one vendor as of today’s date.

**MEETING MINUTES**

The Board reviewed the meeting minutes dated February 3rd, 2020.

**Robert Fleischer moved to accept the meeting minutes dated February 3rd, 2020. Dr. Susan Horowitz seconded and the motion carried.**

**99 SHIRDI WAY (NESSP TEMPLE) – Noise Discussion**

Ira Grossman provided brief overview of noise level tests completed at abutting properties to the Temple.

The Board will invite all applicable parties to their next meeting to further discuss this matter.

**INVOICES**

Board members reviewed and signed variances, permits and invoices.

Brief discussion ensued regarding whether Ira Grossman may receive permission from the Board to sign on their behalf for septic permits involving straightforward cases that may be completed in a short period of time (less than a month). An example of this would be a single component replacement. This permission to sign on the Board members’ behalf would not apply to special requests or more involved cases such as a variance request or a new system or upgrade. This is being requested in an effort to keep the process moving in the event there is a deadline involved or if sign off for the repair is time sensitive such as for a scheduled closing. Currently the Board is providing signatures on septic permits only during their regularly scheduled meetings, which occurs on the 1st and 3rd Monday of each month. In instances where one of those Mondays falls on a holiday the Board may not opt to meet again for another month until their next regularly scheduled meeting date.

Board members have no issues with this request.

**Robert Fleischer moved to grant Ira Grossman with permission to sign applicable septic permits on behalf of the Board of Health as requested and that this decision is to be revisited if / when another person seeks the same power / authority. Dr. Susan Horowitz seconded and the motion carried.**

**Dr. Susan Horowitz moved to adjourn the meeting at 8:23 p.m. Robert Fleischer seconded and the motion carried.**

Minutes by Sammie Kul.

**APPROVED: April 9, 2020**